

FORM PTO-1390
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

7040-363

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/018043

INTERNATIONAL APPLICATION NO.
PCT/US00/16140

INTERNATIONAL FILING DATE
12 June 2000 (12.06.00)

PRIORITY DATE CLAIMED
11 June 1999 (11.06.99)

TITLE OF INVENTION
PHARMACEUTICAL MATERIALS AND METHODS FOR THEIR PREPARATION AND USE

APPLICANT(S) FOR DO/EO/US
CHMIELEWSKI, Jean M.; KAHR, Bart E.; LEWIS, Jerry

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19(35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). unsigned
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Express Mail Label No.: EL 911955595 US
 Date of Deposit: 10 December 2001
 I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
Ruth A. Griffiths
 Signature of person mailing paper or fee

- a. PCT Request
- b. International Publication
- c. Notification of Receipt of Demand
- d. Notification of Transmittal of the International Search Report
- e. Response to the International Search Report
- f. FORM PCT/IB/304; 332
- g. Written Opinion
- h. Response to Written Opinion
- i. International Preliminary Examination Report
- j. Return postcard

U.S. APPLICATION NO. (if known) 10/0180		INTERNATIONAL APPLICATION NO. PCT/US00/16140		ATTORNEY'S DOCKET NUMBER 7040-363	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
				\$ 690--	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	14 - 20 =	--	X \$18.00	\$ -0-	
Independent claims	5 - 3 =	2	X \$80.00	\$ 160--	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ -0-	
TOTAL OF ABOVE CALCULATIONS =				\$ 980	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ N/A	
SUBTOTAL =				\$ 980--	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ N/A	
TOTAL NATIONAL FEE =				\$ 980--	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ N/A	
TOTAL FEES ENCLOSED =				\$ 980--	
				Amount to be	\$
				refunded:	
				charged:	\$

- a. ☒ A check in the amount of \$ 980.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 23-3030 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 23-3030. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Thomas Q. HENRY
 WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT
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 111 Monument Circle
 Indianapolis, Indiana 46204 US

SIGNATURE:

Thomas Q. HENRY

NAME

#28,309

REGISTRATION NUMBER